The House met at 9:00 a.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Representative Ridgeway.

Representative Ridgeway led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

THE TOIL CAIL	was	tancii	with the	e ionownie	results.	
Present						Q

The rell cell was taken with the following regults:

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Birley, Brooks, Bluck, Bunch, Butthy, Caldwell, Chumney, Clem, Cole (Carter), Cole (Open), Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J. DeBerry L. Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S., Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Philin, Pleasant, Prutt. Riniehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Turner (Hamilton), Turner (Shelby), Turne

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under Rule No. 20:

Representative Brown; illness.

MESSAGE FROM THE SENATE January 10, 2001

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 1; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

PERSONAL ORDERS

RECOGNITION IN THE WELL

Rep. Rinks was recognized in the Well to introduce Mrs. Kelly Wheeler, Mrs. Tennessee America, for remarks.

RULES SUSPENDED

Rep. Rinks moved that the rules be suspended for the purpose of introducing House Resolution No. 1 out of order, which motion prevailed.

House Resolution No. 1 - Memorials, Recognition - Mrs. Kelly Wheeler, Mrs. Tennessee America. by *Rinks.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Rinks, the resolution was adopted.

A motion to reconsider was tabled.

CHAIR TO RINKS

Mr. Speaker Naifeh relinquished the Chair to Rep. Rinks.

RESOLUTIONS

Pursuant to Rule No. 17, the following resolution(s) was/were introduced and placed on the Consent Calendar for January 11, 2001:

House Resolution No. 2 -- Memorials, Personal Occasion - Arlis and Helen Chapman, 50th Wedding Anniversary. by *Goins, *Baird.

House Joint Resolution No. 4 — Memorials, Death - Robert Wayne "Bob" Malicote of Campbell County. by "Goins, "Baird.

House Joint Resolution No. 5 -- Memorials, Recognition - White House General Baptist Church. by *McDonald, *Garrett.

House Joint Resolution No. 6 -- Memorials, Retirement - Jeannie Bertram. by *Caldwell.

House Joint Resolution No. 7 — Memorials, Congratulations - Mary English Furlong, Outstanding Democrat of Coffee County. by *Lewis, *Fraley.

House Joint Resolution No. 8 — Memorials, Congratulations - James C. Murray, Outstanding Democrat of Coffee County. by *Lewis, *Fraley.

House Joint Resolution No. 9 -- Memorials, Death - Delos Poe Culp. by *Patton, *Davis (Washington).

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 108 — Municipal Government - Clarifies that person authorized to vote in municipal election or referendum held in Pigeon Forge as non-resident real property owner is not qualified to run for election to office of commissioner. Amends TCA Title 6, Chapter 20, Part 1, by "Montoomery."

*House Bill No. 109 -- Open Meetings - Enacts "Tennessee Right of Access to Government Act of 2001." Amends TCA Title 8, Chapter 44, Part 1. by *Fitzhugh.

House Bill No. 110 – Dams - Requires contractor building in flood plain below dam to post bond for necessary dam improvements; bond to be in amount sufficient to cover reasonable cost of necessary enlargement, repair, or alteration of dam and administrative cost. Amends TCA Title 69, Chapter 12, Part 1. by "McDonald," Bone.

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were held on the Clerk's desk pending approval of the local delegation or held for appointment of the appropriate standing committees:

*House Bill No. 1 - Election Laws - Held on House Desk

*House Bill No. 2 - Criminal Offenses - Held on House Desk

*House Bill No. 3 -- Juries and Jurors -- Held on House Desk

*House Bill No. 4 -- Juvenile Offenders -- Held on House Desk

*House Bill No. 5 - Health, Dept. of - Held on House Desk

*House Bill No. 6 -- Solid Waste Disposal -- Held on House Desk

*House Bill No. 7 - Fireworks -- Held on House Desk

*House Bill No. 8 -- Foster Care -- Held on House Desk

*House Bill No. 9 - TennCare -- Held on House Desk

*House Bill No. 10 - Pensions and Retirement Benefits - Held on House Desk

*House Bill No. 11 -- Municipal Government -- Held on House Desk

*House Bill No. 12 -- Annexation -- Held on House Desk

*House Bill No. 13 -- Courts. Chancery -- Held on House Desk

*House Bill No. 14 -- Civil Procedure -- Held on House Desk

*House Bill No. 15 - Clerks, Court -- Held on House Desk

*House Bill No. 16 -- Libraries -- Held on House Desk

*House Bill No. 17 - Insurance Companies, Agents, Brokers, Policies -- Held on House Desk

*House Bill No. 18 - Food and Food Products - Held on House Desk

*House Bill No. 19 - Jails Local Loc -- Held on House Desk

*House Bill No. 20 - Judges and Chancellors - Held on House Desk

*House Bill No. 21 -- Public Property -- Held on House Desk

*House Bill No. 22 -- Workers' Compensation -- Held on House Desk

*House Bill No. 23 -- Redistricting, Congressional -- Held on House Desk

*House Bill No. 24 - Taxes, Income - Held on House Desk

*House Bill No. 25 -- Redistricting. Congressional -- Held on House Desk

*House Bill No. 26 -- Motor Vehicles -- Held on House Desk

*House Bill No. 27 - Tennessee Regulatory Authority - Held on House Desk

*House Bill No. 28 -- Appropriations -- Held on House Desk

*House Bill No. 29 -- Agriculture -- Held on House Desk

*House Bill No. 30 -- Livestock -- Held on House Desk

*House Bill No. 31 -- Sheriffs -- Held on House Desk

*House Bill No. 32 -- Natural Disaster -- Held on House Desk

*House Bill No. 33 - Commerce and Insurance, Dept. of - Held on House Desk

*House Bill No. 34 -- Water -- Held on House Desk

*House Bill No. 35 -- Gas. Petroleum Products. Volatile Oils -- Held on House Desk

*House Bill No. 36 -- Business Organizations -- Held on House Desk

*House Bill No. 37 - Laundries and Dry Cleaners - Held on House Desk

*House Bill No. 38 -- Public Records -- Held on House Desk

*House Bill No. 39 -- Open Meetings -- Held on House Desk

*House Bill No. 40 -- Highways, Roads and Bridges -- Held on House Desk

*House Bill No. 41 - Alcoholic Beverages - Held on House Desk

*House Bill No. 42 - Mining and Quarrying - Held on House Desk

*House Bill No. 43 -- Common Carriers -- Held on House Desk

*House Bill No. 44 -- Guardianship -- Held on House Desk

*House Bill No. 45 -- Telecommunications -- Held on House Desk

*House Bill No. 46 -- Governor -- Held on House Desk

*House Bill No. 47 -- Game and Fish Laws -- Held on House Desk

*House Bill No. 48 -- Comptroller, State -- Held on House Desk

*House Bill No. 49 -- Parks, Natural Areas Preservation -- Held on House Desk

*House Bill No. 50 -- County Government -- Held on House Desk

*House Bill No. 51 - Uniform Commercial Code -- Held on House Desk

*House Bill No. 52 - State Employees - Held on House Desk

*House Bill No. 53 - Redistricting, Congressional - Held on House Desk

*House Bill No. 54 -- Commerce and Insurance, Dept. of -- Held on House Desk

*House Bill No. 55 -- Taxes. Sales -- Held on House Desk

*House Bill No. 56 -- Consumer Protection -- Held on House Desk

*House Bill No. 57 -- Water -- Held on House Desk

*House Bill No. 58 -- General Assembly -- Held on House Desk

*House Bill No. 59 -- Banks and Financial Institutions -- Held on House Desk

*House Bill No. 60 -- General Assembly -- Held on House Desk

*House Bill No. 61 -- Civil Procedure -- Held on House Desk

*House Bill No. 62 -- Civil Service -- Held on House Desk

*House Bill No. 63 -- Lobbying, Lobbyists -- Held on House Desk

*House Bill No. 64 -- Election Laws -- Held on House Desk

*House Bill No. 65 -- Criminal Procedure -- Held on House Desk

*House Bill No. 66 -- Criminal Offenses -- Held on House Desk

*House Bill No. 67 -- Private Protective Services -- Held on House Desk

*House Bill No. 68 -- Unemployment Compensation -- Held on House Desk

*House Bill No. 69 - Mental Illness - Held on House Desk

*House Bill No. 70 -- Bad Checks -- Held on House Desk

*House Bill No. 71 -- Employees. Employers -- Held on House Desk

*House Bill No. 72 - Education, State Board of - Held on House Desk

*House Bill No. 73 - Taxes. Franchise - Held on House Desk

*House Bill No. 74 - Budget Procedures - Held on House Desk

*House Bill No. 75 -- Corporations. For Profit -- Held on House Desk

*House Bill No. 76 -- Cemeteries -- Held on House Desk

*House Bill No. 77 - Financial Disclosure - Held on House Desk

*House Bill No. 78 -- Employees, Employers -- Held on House Desk

*House Bill No. 79 -- Administrative Procedure (UAPA) -- Held on House Desk

*House Bill No. 80 - Lobbying, Lobbyists - Held on House Desk

*House Bill No. 81 -- Local Government, General -- Held on House Desk

*House Bill No. 82 -- Criminal Procedure -- Held on House Desk

*House Bill No. 83 -- Regional Authorities -- Held on House Desk

*House Bill No. 84 -- Estates -- Held on House Desk

*House Bill No. 85 -- Metropolitan Government -- Held on House Desk

*House Bill No. 86 -- Metropolitan Government -- Held on House Desk

*House Bill No. 87 -- Courts -- Held on House Desk

*House Bill No. 88 - Attorneys at Law - Held on House Desk

*House Bill No. 89 -- Civil Procedure -- Held on House Desk

*House Bill No. 90 -- Holidays and Days of Special Observance -- Held on House Desk

*House Bill No. 91 -- Liens -- Held on House Desk

*House Bill No. 92 -- Zoning -- Held on House Desk

*House Bill No. 93 - Child Custody and Support - Held on House Desk

*House Bill No. 94 - Aircraft and Airports -- Held on House Desk

*House Bill No. 95 -- Fiduciaries -- Held on House Desk

*House Bill No. 96 -- Human Services Dept. of -- Held on House Desk

*House Bill No. 97 -- Divorce and Annulment -- Held on House Desk

*House Bill No. 98 -- Adoption -- Held on House Desk

*House Bill No. 99 -- Water Pollution -- Held on House Desk

*House Bill No. 100 $\,\,$ Mental Health and Mental Retardation, Dept. of $\,\,$ Held on House Desk

*House Bill No. 101 -- Escheat -- Held on House Desk

*House Bill No. 102 - Estates - Held on House Desk

*House Bill No. 103 - Arbitration - Held on House Desk

*House Bill No. 104 - Autopsies -- Held on House Desk

*House Bill No. 105 — Appeal and Review — Held on House Desk

*House Bill No. 106 -- Statutes -- Held on House Desk

*House Bill No. 107 - Limitation of Actions - Held on House Desk

CHAIR TO SPEAKER

Mr. Speaker Naifeh resumed the Chair.

ANNOUNCEMENTS

REPORT FILED

The Clerk announced that the Report of the Select Committee to Review the Audits and Operations of the Comptroller of the Treasury and the Department of the Treasury has been filed with the Clerk's office and the same is available for review.

ENROLLED BILLS January 10, 2001

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Joint Resolution(s) No(s), 1; and House Resolution(s) No(s), 1.

BETTY KAY FRANCIS. Chief Engrossing Clerk.

SIGNED January 10, 2001

The Speaker signed the following: House Joint Resolution(s) No(s). 1; and House Resolution(s) No(s). 1.

BETTY KAY FRANCIS. Chief Engrossing Clerk.

MESSAGE FROM THE SENATE January 10, 2001

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s).
1; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK January 10, 2001

The following bill(s) have been transmitted to the Governor for his action: House Joint Resolution(s) No(s). 1.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

ROLL CALL

The foli call was taken with the following results.	
Present	96

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Representatives present were Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Billey, Brooks, Buck, Bunch, Butty, Caldwell, Chummey, Clem, Cole (Catrel), Cole (Dyer), Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Filzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kibser, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naffeh – 96.

RECESS MOTION

Pursuant to House Joint Resolution No. 1, Rep. Davidson moved that the House stand in recess to meet with the Senate in Joint Convention for the purpose of electing the Constitutional Officers, and at the conclusion of the Joint Convention, the House adjourn until 900 a.m. on Thursday, January 11, 2001, which motion prevailed.

IN JOINT CONVENTION

ELECTION OF CONSTITUTIONAL OFFICERS

The hour having arrived, set by House Joint Resolution No. 1, the House and Senate met in Joint Convention for the purpose of the election of the Constitutional Officers.

President Wilder called the Joint Convention to order at 10:00 a m.

Senator Crutchfield moved to dispense with the Senate Roll Call.

Representative Davidson moved to dispense with the House Roll Call.

The Chief Clerk of the Senate read House Joint Resolution No. 1 authorizing the Joint Convention.

President Wilder declared the first order of business was the election of the Secretary of State.

ELECTION OF SECRETARY OF STATE

Representative McMillan placed in nomination the name of the Honorable Riley Darnell of Montgomery County.

Senator Kurita seconded the nomination of Mr. Darnell

Senator Crutchfield moved that nominations cease and that the Clerks of the respective bodies be directed to call the roll, which motion prevailed.

The Clerk of the Senate called the roll of the S	Senate with the following results:
For Mr. Darnell	31
The Clerk of the House called the roll of the House	ouse with the following results:
For Mr. Damell	93

Representatives voting for Mr. Darnell were. Amstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Eriley, Brooks, Bunch, Buttry, Caldwell, Chunney, Clem, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J. DeBerry I. Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Carrett, Givens, Godesy, Goins, Hagood, Hargett, Hargrove, Harwell, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillian, Montgomery, Mumpower, NewMondox, Oxdorn, Oxerbey, Patton, Phelan, Phillips, Prilon, Plessant, Prultt. Rilnieharf, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Nafeh — 93.

President Wilder declared the Honorable Riley Darnell duly, legally and constitutionally elected Secretary of State for the ensuing four years.

President Wilder appointed the following committee to escort Mr. Darnell to the Well of the House: Senators Cooper, Haun and Kurita; and Representatives Davidson, Kent and McMillan.

OATH OF OFFICE

The Oath of Office was administered to Mr. Darnell by the Honorable Riley Anderson, Chief Justice of the Tennessee Supreme Court.

Mr. Darnell expressed his appreciation.

CHAIR TO SPEAKER

President Wilder relinquished the Chair to Speaker Naifeh.

President Naifeh declared that the next order of business was the adoption of the Report of the Select Committee to Review the Audits and Operations of the Comptroller of the Treasury and the Department of the Treasury.

REPORTS OF SELECT COMMITTEES.

REPORT OF THE SELECT COMMITTEE TO REVIEW THE AUDITS AND OPERATIONS OF THE COMPTROLLER OF THE TREASURY AND THE DEPARTMENT OF THE TREASURY

On January 9, 2001, the select committee appointed by the Speaker of the Senate and Speaker of the House of Representatives, pursuant to Tennessee Code Annotated, Sections 8-4-102 and 8-5-102, to review the audits and operations of the Comptroller of the Treasury and the Department of the Treasury met in Room 30 of the Legislative Plaza. The select committee was composed of Senator Jerry W. Cooper and Representative Shelby Rhinehart, who served as co-chairmen. Senator Gene Elsea, Senator Lincoln Davis, Representative Gene Davidson and Representative Steve McDaniel. A quorum was present. Mr. Art Hayes, Director, Division of State Audit, presented the following information to the committee:

- An audit report of the Comptroller of the Treasury for the fiscal year ended June 30, 2000;
- An audit report of the Department of the Treasury for the fiscal year ended June 30, 2000; and
- A report of the Select Committee to Review the Audits and Operations of the Comptroller
 of the Treasury and the Department of the Treasury.

Senator Cooper moved that the committee accept the audits of the Comptroller of the Treasury and the Department of the Treasury as being properly conducted and in compliance with all laws and to report such action to the Senate and House of Representatives. Senator Elsea seconded the motion which carried unanimously.

There being no further business, the committee adjourned, sine die.

s/ Senator Jerry Cooper, Chairman /s/ Rep. Shelby Rhinehart, Chairman

/s/ Senator Gene Elsea /s/ Rep. Gene Davidson /s/ Senator Lincoln Davis /s/ Rep. Steve McDaniel

On motion of Senator Cooper, the Report of the Select Committee to Review the Audits and Operations of the Comptroller and Treasury was adopted.

FLECTION OF COMPTROLLER OF THE TREASURY

President Naifeh declared the next order of business was the election of the Comptroller of the Treasury and that nominations were in order.

Senator Henry nominated the Honorable John Morgan of Williamson County.

Representative Kisber seconded the nomination of Mr. Morgan.

Senator McNally moved that nominations cease and that the Clerks of the respective bodies be directed to call the roll, which motion prevailed.

The Clerk of the Senate called the roll of the Senate with the following results:

The Clerk of the House called the roll of the House with the following results:

Representatives voting for Mr. Morgan were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry I, Dunn, Ferguson, Fitzbugh, Ford, Fowlkes, Fraley, Carrett, Givens, Godsey, Goins, Hagood, Hargett, Hagrove, Harwell, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kibser, Langster, Lewis, Maddox, McCord, McDaniel, McConald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Philine, Pleasant, Prutt. Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Tumer (Hamilton), Tumer (Shelby), Tumer (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naffeh — 96.

President Naifeh declared John Morgan duly legally and constitutionally elected Comptroller of the Treasury for the ensuing two years.

President Naifeh appointed the following committee to escort Mr. Morgan to the well of the House: Senators Clabough, Dixon and Graves; and Representatives Lois DeBerry, Kisber and McDaniel.

OATH OF OFFICE

The Oath of Office was administered to Mr. Morgan by the Honorable Riley Anderson, Chief Justice of the Tennessee Supreme Court.

Mr. Morgan expressed his appreciation.

ELECTION OF STATE TREASURER

President Naifeh declared the next order of business was the election of the State Treasurer and that nominations were in order.

Representative Fowlkes placed in nomination the name of the Honorable Steve Adams of Williamson County.

Senator Cooper seconded the nomination of Mr. Adams.

Senator Atchley moved that nominations cease and that the Clerks of the respective bodies be directed to call the roll, which motion prevailed.

The Clerk of the Senate called the roll of the Senate with the following results:

The Clerk of the House called the roll of the House with the following results:

Representatives voting for Mr. Adams were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Curliss, Davidson, Davis (Washington), Davis (Cocke), Deberry J. DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Haggoot, Hargert, Hargrove, Harwell, Hood, Johnson, Jones S., Jones U, Kent, Kernell, Kibste, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overfey, Patton, Phelan, Philips, Pinion, Pleasant, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naffeh – 92

Thereupon, President Naifeh declared the Honorable Steve Adams duly legally and constitutionally elected State Treasurer for the ensuing two years.

President Naifeh appointed the following committee to escort Mr. Adams to the well of the House: Senators Harper, Jackson and Trail; and Representatives Shaw, Shepard and Mike Turner.

OATH OF OFFICE

The Oath of Office was administered to Mr. Adams by the Honorable Riley Anderson, Chief Justice of the Tennessee Supreme Court.

Mr. Adams expressed his appreciation.

Thereupon, the purpose for which the Joint Convention was called having been accomplished, President Naifeh declared the Joint Convention dissolved.